

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**JAMES JORDANOFF,**

**Plaintiff,**

**v.**

**JOSEPH K. LESTER,**

**Defendant.**

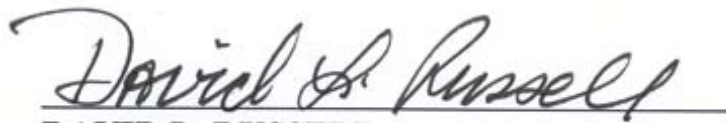
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**Case No. CIV-11-665-R**

**ORDER**

Before the Court is the Report and Recommendation of United States Magistrate Judge Robert E. Bacharach entered September 29, 2011. Doc. No. 22. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted. Therefore, the Report and Recommendation [Doc. No. 22] is ADOPTED in its entirety, the Defendant's motion to dismiss [Doc. No. 18] is GRANTED and Plaintiff's Complaint is DISMISSED without prejudice. However, Plaintiff is GRANTED leave to amend his amended complaint within twenty (20) days of the date of this Order to cure the factual deficiencies identified by the Magistrate Judge, if he can do so.

IT IS SO ORDERED this 27<sup>th</sup> day of October, 2011.

  
**DAVID L. RUSSELL**  
**UNITED STATES DISTRICT JUDGE**